



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**PLANNING COMMISSION**

*Promoting the wise use of land  
Helping build great communities*

<b>MEETING DATE</b> October 27, 2016	<b>CONTACT/PHONE</b> Jo Manson 781-4660/jmanson@co.slo.ca.us	<b>APPLICANT</b> Karen Lee Haynes	<b>FILE NO.</b> S030062T
<b>SUBJECT</b> A request for a <b>third time extension</b> by Karen Lee Haynes for Vesting Tentative Tract Map 2574 to subdivide an existing 19.2 acre parcel into seven parcels of between 3.15 and 2.50 acres each, for the sale and/or development of each proposed parcel. The proposed project is within the Residential Suburban land use category and is located at the northeast corner of Badger Canyon Lane and Fox Canyon Lane, west of Corbett Canyon Road, approximately 1 mile north of the City of Arroyo Grande. The site is in the San Luis Bay Sub-area in the South County Planning Area.			
<b>RECOMMENDED ACTION</b> Approve the <b>third time extension request</b> for Vesting Tentative Tract Map 2574.			
<b>ENVIRONMENTAL DETERMINATION</b> A Revised Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) was issued on July 22, 2005 for this project. The Revised Mitigated Negative Declaration was approved by the Board of Supervisors on September 27, 2005.			
<b>LAND USE CATEGORY</b> Residential Suburban	<b>COMBINING DESIGNATION</b> None	<b>ASSESSOR PARCEL NUMBER</b> 044-501-004	<b>SUPERVISOR DISTRICT(S)</b> 3
<b>PLANNING AREA STANDARDS:</b> Limitation on use, adequate groundwater/sewage disposal system			
<b>LAND USE ORDINANCE STANDARDS:</b> Sec. 22.22.070 – Residential Suburban Subdivision Design			
<b>EXISTING USES:</b> Single family residence, outbuildings			
<b>SURROUNDING LAND USE CATEGORIES AND USES:</b> North: Residential Suburban / residences      East: Residential Suburban / residences South: Residential Suburban / residences      West: Residential Suburban / residences			
<b>OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:</b> Tentative vesting tract map was originally referred to Public Works, Environmental Health, County Parks, Cal Fire, APCD, Lucia Mar, City of Arroyo Grande.			
<b>TOPOGRAPHY:</b> Moderately to steeply sloping		<b>VEGETATION:</b> Native grasses, oak trees, manzanita	
<b>PROPOSED SERVICES:</b> Water supply: On-site well Sewage Disposal: Individual septic System Fire Protection: Cal Fire		<b>ACCEPTANCE DATE:</b> N/A	
<b>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT:</b> COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

## TIME EXTENSION REQUEST/PROJECT DESCRIPTION

Vesting Tentative Tract Map 2574 was approved by the Board of Supervisors on September 27, 2005 and is set to expire on September 27, 2016. On August 5, 2016, the applicant requested the **third one year time extension and paid the extension application fee on August 19, 2016**. If a time extension request is submitted on or before the expiration date, it remains valid until acted on by the decision making body. (A time extension for a tentative map also extends the life of the related conditional use permit if it is required as a part of the subdivision process).

Vesting Tentative Tract Map 2574 is a request by Karen Lee Haynes to subdivide an existing 19.2 acre parcel into seven parcels of between 3.15 and 2.50 acres each, for the sale and/or development of each proposed parcel. The proposed project is within the Residential Suburban land use category and is located at the northeast corner of Badger Canyon Lane and Fox Canyon Lane, west of Corbett Canyon Road, approximately 1 mile north of the City of Arroyo Grande. The site is in the San Luis Bay Sub-area in the South County planning area. This vesting tentative map is not yet ready to record. Additional time is necessary to comply with the conditions of approval. Time extensions for vesting tentative maps are discretionary; however, they have historically been processed as an administrative action and placed on the consent agenda for notification purposes for both the Planning Commission and the public.

## DISCUSSION

### The Subdivision Map Act & Real Property Division Ordinance

The Subdivision Map Act provides that a conditionally approved vesting tentative map shall expire twenty-four (24) months after its conditional approval. The original expiration date was September 27, 2007. On August 23, 2007 the applicant requested a first one year time extension and the Planning Commission approved the request on October 11, 2007. The expiration date was then September 27, 2008. After the legislative time extensions ended (see discussion below), the Planning Commission approved a second one year time extension request on November 12, 2015 and the new expiration date was September 27, 2016. With recent amendments, the Subdivision Map Act now allows up to six (6) one year discretionary time extensions (without legislative time extensions). The applicant must request each of the *discretionary* time extensions. This request is the applicant's **third discretionary one year time extension request**.

The Subdivision Map Act was amended in 2008, 2009, 2011 and 2013 to provide tentative maps with “automatic, state-mandated” extensions that are above and beyond the six (6) one year time extensions as follows:

Senate Bill 1185 (California Government Code Section 66452.21) – If a tentative map was approved before and not expired on July 15, 2008 and will expire between July 15, 2008 and January 1, 2011 – extends the tentative map twelve (12) months. Vesting Tentative Tract 2574 was extended to September 27, 2009.

Assembly Bill 333 (California Government Code Section 66452.22) – If a tentative map was approved before and not expired on July 15, 2009 and will expire between July 15, 2009 and January 1, 2012 – extends the tentative map twenty four (24) months. Vesting Tentative Tract 2574 was extended to September 27, 2011.

Assembly Bill 208 (California Government Code Section 66452.23) – If a tentative map was approved before and not expired on July 15, 2011 and will expire between July 15, 2011 and January 1, 2014 – extends the tentative map twenty four (24) months. Vesting Tentative Tract 2574 was extended to September 27, 2013.

Assembly Bill 116 (California Government Code Section 66452.24(a)) – If a tentative map was approved after January 1, 2000 and not expired on July 15, 2013 and will expire between July 15, 2013 and January 1, 2016 – extends the tentative map twenty four (24) months. Vesting Tentative Tract 2574 was extended to September 27, 2015.

### **Staff Determination and Recommendation**

This time extension request has been reviewed by staff. It complies with The Subdivision Map Act and Section 21.06.010 of the Real Property Division Ordinance, and remains in compliance with the General Plan and County ordinances.

After review of the vesting tentative map, staff recommends to the Planning Commission that the **third one year time extension** be granted to September 27, 2017 subject to the conditions of approval set by the Board of Supervisors on September 27, 2005 in accordance with Resolution No. 2005-289.

### **ATTACHMENTS**

Attachment 1 - Project Graphics  
Attachment 2 - Board of Supervisors Resolution 2005-289

Staff report prepared by Jo Manson and reviewed by Terry Wahler, Senior Planner.